

### REMARKS

The Applicant has filed the present Amendment pursuant to 37 C.F.R. § 1.111, in reply to the outstanding Official Action of September 15, 2005. The Applicant believes this Amendment to be fully responsive to the aforementioned Official Action for the reasons set forth below.

In the present Official Action, The Examiner rejected Claims 1, 6-9, 12 pursuant to 35 U.S.C. § 102(b), as allegedly anticipated by Saunders (U.S. Patent No. 4,319,376). The Examiner rejected Claim 1 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Thaxton, Jr. (U.S. Patent No. 2,828,757) (hereinafter "Thaxton") in view of Mason et al. (U.S. Patent No. 4,768,617) (hereinafter "Mason"). The Examiner rejected Claims 1-5, and 13 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Thaxton in view of Crump (U.S. Patent No. 4,912,796). The Examiner further rejected Claims 6 and 7 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Thaxton in view of Mason as applied to Claim 1, and further in view of R.L. Campbell (U.S. Patent No. 2,470,337) (hereinafter "Campbell"). The Examiner also rejected Claims 8 and 9 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Thaxton in view of Mason and Campbell as applied to Claim 6, and further in view of Leon (U.S. Patent No. 4,886,413). Yet further, the Examiner rejected Claims 10-12 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Thaxton in view of Mason, Campbell and Leon as applied to Claim 8, and further in view of Schoenberger, et al. (U.S. Patent No. 5,226,204) (hereinafter "Schoenberger"). Lastly, the Examiner rejected Claim 10 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Saunders in view of Schoenberger.

At the outset and before addressing the rejections raised in the Official Action, the Applicant has amended independent Claim 1 as particularly recited herein. More specifically, the Applicant has clarified that the gangway is pivotally attached at the rear end of the gangway corridor unit (ground level) and raisable at the forward end of the gangway corridor unit in relation to the gangway corridor unit. The Applicant

respectfully submits that this amendment clarifies that it is the gangway (not the gangway corridor unit) that is raisable from ground level to the door sill of an aircraft. Support for this amendment is clearly depicted in Fig. 2 and particularly in Fig. 9 of above-captioned application. The Applicant respectfully submits that no new subject matter has been entered via the foregoing amendment.

In traversing the rejection of Claims 1 pursuant to 35 U.S.C. § 102(b), as allegedly anticipated by Saunders, the Applicant respectfully submits that the Saunders reference is defective in that it first fails to disclose the rear end of the gangway corridor unit joined at ground level to the forward end of the at least one-fixed height corridor unit, as particularly recited in Claim 1.

The Saunders reference discloses a passenger loading bridge 10 that includes a ground level rotunda section 11, a tunnel support section 12 vertically pivoted thereto, an elevated tunnel section 13 horizontally pivoted to the tunnel support section, and a drive assembly 120. The tunnel support section includes a staircase 58 pivotally joining the rotunda section 11 to the tunnel section 13 (Saunders, Col. 1, line 53-56 and Col. 3, line 65 to Col 4, line 2).

Contrary to the Examiner's allegation and contrary to the claimed invention, Saunders does not disclose that the rear end of the tunnel section 13 is connected at ground level to the forward end of the rotunda section 11. Instead, the rear end of the tunnel section 13 is connected to the tunnel support section 12, which incorporates a staircase 58. The staircase 58 enables passengers to step up from ground level rotunda 11 to the elevated tunnel 13 (Saunders, Col. 3, line 68 – Col 4, line 2). The present invention obviates the need for any staircase, while providing a protective passageway permitting the loading of passengers from ground level to the door sill of the aircraft. Furthermore, while the Saunders' tunnel section 13 is pinned to the rotunda section 11, which is immovable for structural integrity, the present invention provides a freestanding mobile boarding ramp the position of which can be changed based on the positioning of the aircraft on the airport apron in relation to the airport terminal or vehicle.

Consequently, because Saunders includes a tunnel support section 12 (having a staircase 58) between the rotunda section 11 and the tunnel section 13, the Applicant respectfully submits that Saunders fails to disclose that the rear end of claimed gangway corridor unit is joined at ground level to the forward end of the fixed-height corridor unit, as particularly recited in Claim 1.

In further traversing the rejection of Claims 1, 6-9 and 13 pursuant to 35 U.S.C. § 102(b), as allegedly anticipated by Saunders, the Applicant further respectfully submits that the Saunders reference is defective in that it fails to disclose 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the gangway corridor unit and raisable at the forward end of the gangway corridor unit in relation to the gangway corridor unit, and 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in Claim 1.

In connection with the first defect identified above, Saunders' elevated tunnel 13 is attached to the top of staircase 58 of the tunnel support section 12 and the elevated tunnel 13 is raisable at the forward end via drive assembly 120 (Saunders, Fig. 13). More specifically, it is clear that elevated tunnel 13 is not pivotally attached at ground level and further it is clear that Saunders' floor 149 is not raisable in relation to the elevated tunnel 13. In connection with the second defect identified above, Saunders' floor 149 is not selectively inclinable from ground level to the door sill of the aircraft, but rather, it is Saunders' elevated tunnel 13 and not floor 149 that is inclinable, and the tunnel is only inclinable from the top of the staircase 58. That is, Saunders's floor 149 is not independently inclinable in relation to the elevated tunnel 13.

Consequently, because Saunders includes a tunnel support section 12 (having a staircase 58) between the rotunda section 11 and the tunnel section 13, the Applicant respectfully submits that the Saunders fails to disclose 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the gangway corridor unit and raisable at the forward end of the gangway corridor unit in relation to

the gangway corridor unit, and 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 as anticipated pursuant to 35 U.S.C. § 102(b). Furthermore, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 6-9 and 13 as anticipated pursuant to 35 U.S.C. § 102(b), based at least on their respective dependencies, whether direct or indirect, from the traversed independent Claim 1.

In traversing the rejection of independent Claim 1 as unpatentable over Thaxton in view of Mason, the Applicant respectfully submits that the Thaxton-Mason combination is defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1.

The primary prior art reference to Thaxton teaches a collapsible passageway having a plurality of substantially identical frame devices 5 arranged end to end for providing protected passageway from an airport terminal to a point of entry to an aircraft. The secondary prior art reference to Mason is directed to an adjustable stairway 10 supported on a retractable wheel-mounted carriage.

The Examiner alleged that Thaxton teaches a collapsible passageway and Mason teaches a gangway corridor unit 10 having an inclinable gangway 106. The Applicant respectfully disagrees with the Examiner's allegations as follows.

The Applicant respectfully submits that the primary prior art reference to Thaxton does not teach or suggest the gangway corridor unit, as particularly recited in Claim 1.

To the contrary the claimed invention, which provides at least one fixed-height unit and a gangway corridor unit, Thaxton teaches that all devices 5 are substantially identical. Additionally, to the contrary to the claimed invention, Thaxton's devices 5 provide protected passageway only to the point of entry to an aircraft. That is, a passenger would have to climb a conventional staircase incorporated into the aircraft, which provides no protective passageway from the elements to actually board the aircraft.

The Applicant respectfully submits that the secondary prior art reference to Mason does not rectify the deficiencies identified in respect to Thaxton above. First, contrary to the claimed invention, which provides a gangway corridor unit, Mason's element 10 is not a corridor unit, as particularly recited in Claim 1. More specifically, Mason's element 10 is only an adjustable staircase (See Mason, Col 1, line 59), which the Applicant respectfully submits does not teach or suggest a corridor unit or for that matter a gangway corridor unit, as particularly recited in Claim 1.

More specifically, Mason's staircase 10 does not teach or suggest a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor unit in relation to the gangway corridor unit. That is, there is no teaching, suggestion or motivation in the references and, none is provided by the Examiner, to substitute Mason's staircase 10 with a gangway corridor unit being provided with a gangway, and further, a gangway that is raisable in relation to the gangway corridor unit. The Examiner alleged Mason's element 106 is the gangway. The Applicant respectfully disagrees with this allegation. Element 106 is not a gangway, but rather, it is a frame member 106 that in conjunction with frame member 108 lift Mason's actual staircase 10. In addition, Mason's staircase 10 is attached at the rear, but contrary to the claimed invention, staircase 10 is raisable in the middle by frame member 108 (not the forward end).

Even if the references are *arguendo* combined, the Applicant respectfully submits that the arguably combined passageway does not teach or suggest a gangway corridor unit having a gangway for permitting loading of passengers from the ground level to the

door sill of the aircraft, as particularly recited in Claim 1. In the arguable Thaxton-Mason passageway, a passenger would be exposed to the elements on the staircase and would have to climb stairs of the staircase to get to the door sill of the aircraft. As can be appreciated, the claimed gangway corridor unit obviates the deficiencies of the Thaxton-Mason combination and provides a protective passage via the gangway corridor unit (provided with a gangway) against the elements (weather) for boarding the aircraft. Such a boarding ramp, as recited in Claim 1, is neither taught, suggested or motivated by the references and no motivation is provided by the Examiner to do what the Applicant has done.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 as unpatentable over the Thaxton-Mason combination pursuant to 35 U.S.C. § 103(a).

In traversing the rejection of independent Claim 1 as unpatentable over Thaxton in view of Crump, the Applicant respectfully submits the Thaxton-Crump combination is likewise defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, and 2) the gangway being is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the independent Claim 1. The arguments presented above in respect of Thaxton are incorporated herein in their entirety and will not be repeated. The Applicant further respectfully submits that the secondary prior art reference to Crump does not rectify the deficiencies identified in respect to Thaxton.

The secondary prior art reference to Crump is directed to an adjustable wheelchair ramp 10 with a height adjusting and supporting mechanism 14. Furthermore, Crump's wheelchair ramp 10 rests on the ground at the back end and at the front end ramp 10 rests at the top of a staircase. The Examiner correctly acknowledged that the primary prior art reference to Thaxton does not teach an inclinable gangway. However, the

Examiner alleged that the secondary prior art reference to Crump teaches the inclinable gangway and that it would be obvious to provide the boarding ramp of Thaxton with the inclinable gangway of Crump. The Applicant respectfully disagrees with the Examiner's allegation and respectfully submits that there is no teaching, suggestion or motivation to combine Thaxton's passageway with Crump's wheelchair ramp either 1) in series to one another or 2) to incorporate Crump's wheelchair ramp into Thaxton's passageway, as follows.

With regard to Thaxton's passageway and Crump's wheelchair in series, and to the contrary of the Examiner's allegation, the Applicant first respectfully submits that the Crump's wheelchair ramp 10 does not teach or suggest a gangway corridor unit, as particularly recited in Claim 1. Crump merely teaches a wheelchair ramp 10. That is, Crump's wheelchair ramp does not teach or suggest a gangway corridor unit having a gangway that is pivotally attached at the rear end and raisable at the front end in relation to the gangway corridor unit. Instead, as mentioned above, Crump's wheelchair ramp 10 simply rests on the ground at the back end (not pivotally attached) and at the front end it simply rests on the top of a staircase, and a height supporting and adjusting mechanism 14 is provided about the center of the wheelchair ramp (not raisable at the front end). Furthermore, it is obvious that Crump's wheelchair ramp does not incline in respect to a corridor unit. Contrary to the claimed invention, Crump's wheelchair ramp 10 is static or fixed and is made adjustable only by the particular height of the staircase on which it rests and by the mechanism 14 which supports ramp 10. However, the claimed gangway corridor unit is self-contained, and mobile, and it does not depend in any way on external structures for selectively inclining from the ground level of the terminal or the vehicle to the door sill of the aircraft.

Even if *arguendo* the Thaxton and Crump references were combined in series, the arguable passageway would not provide a protective passageway (gangway corridor unit) for permitting the loading of passengers from the airport terminal to the aircraft, as particularly recited in Claim 1. While protected by the Thaxton's passageway, a person would be exposed to the elements on the Crump's ramp. In addition, a passenger would

be presented with unsafe boarding conditions in relation to Crump's wheelchair ramp 10. First, the interface of Thaxton's passageway and Crump's ramp 10 presents a dangerous safety situation. That is, whereas Thaxton's passageway is wheeled and provides stability via the particular construction of unit 5 (its width), Crump's ramp is narrow and simply rests on the ground at the back end. At the interface between Thaxton's passageway and Crump's ramp there is no sufficient stability, anchoring or transition, leading to an unsafe condition. Second, as Crump's ramp 10 simply rests at the top of a stationary staircase, it is unrestrained and can be subject to movement, which presents another unsafe condition. Thus the use of the arguable Thaxton-Crump combination would present danger-laden conditions to passengers boarding an aircraft. Consequently, there is no teaching, suggestion or motivation to combine the references with Thaxton's unit 5 in series with Crump's wheelchair ramp 10.

To the contrary of the Examiner's allegation, the Applicant further respectfully submits that there is no teaching, suggestion or motivation in the references and, none is provided by the Examiner, to incorporate Crump's wheelchair ramp into Thaxton's unit 5. That is, there is not teaching or suggestion to replace Thaxton's two floor sections 19, 20 with the Crump's wheelchair ramp 10. As the back end of Crump's wheelchair ramp simply rests on the ground and the front end of Crump's wheelchair ramps simply rests on top of staircase and Crump's support mechanism 14 is about the center, there is simply no teaching, suggestion or motivation to make Crump's wheelchair ramp 10 pivotally attached at the back end of Thaxton's unit 5 and to make Crump's ramp 10 selectively raisable at the front end of Thaxton's unit 5 in relation to the unit 5. As Crump's support mechanism 14 is about the center, at the front end Crump's ramp 10 would not be raisable or for that matter supported by anything. The foregoing can only be gleaned from the Applicant's disclosure and would constitute improper use of hindsight by the Examiner. Consequently, there is not teaching, suggestion or motivation to integrate Crump's wheelchair ramp 10 into Thaxton's unit 5.

Furthermore, even if *arguendo* Crump's wheelchair ramp were combined into the Thaxton's unit 5, Thaxton's unit 5 would not be operable for its intended purpose. More



specifically, Thaxton's unit 5 would not be collapsible as intended and particularly depicted in Thaxton's Fig. 4. Additionally, the arguably combined Thaxton-Crump passageway, which would be of one height as taught by Thaxton, would make Thaxton's passageway unusable and would present dangerous safety issues when Crump's ramp is raised inside the Thaxton passageway, i.e., it would not permit a passenger to traverse the passageway if ramp were lifted at the front end of the passageway. Lastly, as Crump's ramp 10 is narrow and simply rests on a surface both at the front and at the rear, its width and unrestrained position in Thaxton's passageway would present safety concerns both in stability, anchoring and transition, as described above. Consequently, the Applicant respectfully submits that there is no teaching, suggestion or motivation to combine the references by incorporating Crump's ramp 10 into Thaxton's unit 5.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 as unpatentable over Thaxton-Crump combination pursuant to 35 U.S.C. § 103(a). Furthermore, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 2-5 and 13 as unpatentable over Thaxton-Crump combination pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the traversed independent Claim 1.

In traversing the rejection of Claims 6 and 7 as unpatentable over Thaxton in view of Mason and further in view of Campbell pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Thaxton-Mason-Campbell combination is defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1, from which Claims 6 and 7 depend whether directly or indirectly. The arguments presented above in respect of the Thaxton-Mason combination are incorporated herein in their entirety and will not be repeated. The Applicant respectfully submits that the tertiary prior art reference to

Campbell does not rectify the deficiencies identified above in reference to the Thaxton-Mason combination as applied to Claim 1.

More specifically, Campbell is directed only to an extensible canopy for affording persons weather protection and containment for passing to or from an aircraft. Campbell does not teach or suggest a pivotally attached gangway that is selectively inclinable from the ground level to the door sill of the aircraft, as particularly recited in the independent Claim 1. In fact, Campbell provides no gangway at all. More specifically, Campbell provides only a staircase 4 for the passengers to climb to the door sill of the plane. Thus, among other deficiencies already described above, the arguable Thaxton-Mason-Campbell combination includes a staircase which passengers would need to climb in order to board an aircraft. However, the claimed invention obviates this deficiency and provides a boarding ramp which comprises a gangway corridor unit having a gangway for permitting loading of passengers from ground level to the aircraft, as particularly recited in independent Claim 1.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 6 and 7 as unpatentable over the Thaxton-Mason-Campbell combination pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the independent Claim 1.

In traversing the rejection of Claims 8 and 9 as unpatentable over Thaxton in view of Mason and Campbell and further in view of Leon pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Thaxton-Mason-Campbell-Leon combination is defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1, from which Claims 8 and 9 depend whether directly or indirectly. The arguments presented above in respect of the Thaxton-Mason-Campbell combination are incorporated herein in their entirety.

and will not be repeated. The Applicant respectfully submits that the fourth prior art reference to Leon does not rectify the deficiencies identified above in reference to the Thaxton-Mason-Campbell combination as applied to Claim 1.

More specifically, Leon is directed to a self propelled aircraft cargo loader 10 with front platform 14 and rear platform 18, supported respectively by scissors 16 and 20. Leon does not rectify the deficiencies addressed in respect of the Thaxton-Mason-Campbell combination. More particularly, Leon's platforms 14, 16 are not pivotally attached at the rear end and not raisable at the front end, and thereby do not provide a gangway that is selectively inclinable from ground level to the door sill of an aircraft. Instead the platforms 14, 16 lift in parallel to the ground via scissors 16, 20.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 8 and 9 as unpatentable over the Thaxton-Mason-Campbell-Leon combination pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the independent Claim 1.

In traversing the rejection of Claims 10-12 as unpatentable over Thaxton in view of Mason, Campbell, Leon and further in view of Schoenberger pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Thaxton-Mason-Campbell-Leon-Schoenberger combination is defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1, from which Claims 10-12 depend whether directly or indirectly. The arguments presented above in respect of the Thaxton-Mason-Campbell-Leon combination are incorporated herein in their entirety and will not be repeated. The Applicant respectfully submits that the fifth prior art reference to Schoenberger does not rectify the deficiencies identified above in reference to the Thaxton-Mason-Campbell-Leon combination as applied to Claim 1.

More specifically, Schoenberger is directed to a telerobotic passenger loading bridge 1. Contrary to the claimed invention, Schoenberger's bridge 1 is directed to passenger bridge that is at "second-level" height off the ground, i.e., not ground level (See Schoenberger, Fig. 2). More specifically, Schoenberger's bridge 1, which is supported above ground level by pedestal 27 and elements 9 and 30, does not teach or suggest the ability of the bottom of any telescoping section 5, 6 or 7 of boarding bridge 1 to selectively incline in relation to section 5, 6, or 7 from ground level of the terminal or the vehicle to the door sill of the aircraft.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 10-12 as unpatentable over the Thaxton-Mason-Campbell-Leon-Schoenberger combination pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the independent Claim 1.

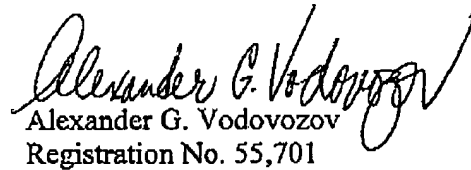
In traversing the rejection of Claim 10 as unpatentable over Saunders in view of Schoenberger pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Saunders-Schoenberger combination is defective in that it fails to teach or suggest 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor in relation to the gangway corridor unit, 2) the gangway being selectively inclinable from the ground level of the terminal or the vehicle to the door sill of the aircraft, as particularly recited in independent Claim 1, from which Claim 10 depends indirectly. The arguments presented above in respect of the Saunders and Shoenberger are incorporated herein in their entirety and will not be repeated. The Applicant respectfully submits that the Saunders-Schoenberger combination does not teach or suggest the gangway corddior unit as particularly recited in Claim 1, from which Claim 10 depends indirectly.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 10 as unpatentable over the Saudner-Schoenberger

combination pursuant to 35 U.S.C. § 103(a), based at least on its indirect dependency from the independent Claim 1.

In sum, the Applicant believes this application is in condition for allowance and the Applicant henceforth respectfully solicits such allowance. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests the Examiner to call the undersigned, Applicant's attorney, at the following telephone number (516) 746-8000.

Respectfully submitted,

  
Alexander G. Vodovozov  
Registration No. 55,701

Jaspan Schlesinger Hoffman, LLP  
300 Garden City Plaza – 5<sup>th</sup> Floor  
Garden City, New York 11530

AGV